



Rep. Sara Feigenholtz

Filed: 4/25/2017

10000HB2510ham002

LRB100 06003 MJP 25546 a

1 AMENDMENT TO HOUSE BILL 2510

2 AMENDMENT NO. _____. Amend House Bill 2510, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Food Handling Regulation Enforcement Act is
6 amended by adding Section 3.07 as follows:

7 (410 ILCS 625/3.07 new)

8 Sec. 3.07. Allergen awareness training.

9 (a) As used in this Section:

10 "Certified food service sanitation manager" means a food
11 service sanitation manager certified under Section 3 of this
12 Act.

13 "Major food allergen" includes milk, eggs, fish,
14 crustaceans, tree nuts, wheat, peanuts, soybeans, and food
15 ingredients that contain protein derived from these foods.

16 "Primarily engaged" means having sales of ready-to-eat

1 food for immediate consumption comprising at least 51% of the
2 total sales, excluding the sale of liquor.

3 "Restaurant" means any business that is primarily engaged
4 in the sale of ready-to-eat food for immediate consumption.

5 (b) Unless otherwise provided, all certified food service
6 sanitation managers employed by a restaurant must receive or
7 obtain training in basic allergen awareness principles within
8 30 days after employment and every 3 years thereafter. Training
9 programs must be accredited by the American National Standards
10 Institute or another reputable accreditation agency under the
11 ASTM International E2659-09 (Standard Practice for Certificate
12 Programs). There is no limit to how many times an employee may
13 take the training.

14 (c) Allergen awareness training must cover and assess
15 knowledge of the following topics:

16 (1) the definition of a food allergy;

17 (2) the symptoms of an allergic reaction;

18 (3) the major food allergens;

19 (4) the dangers of allergens and how to prevent
20 cross-contact;

21 (5) the proper cleaning methods to prevent allergen
22 contamination;

23 (6) how and when to communicate to guests and staff
24 about allergens;

25 (7) the special considerations related to allergens
26 from workstations and self-serve areas;

1 (8) how to handle special dietary requests;

2 (9) dealing with emergencies, including allergic
3 reactions;

4 (10) the importance of food labels;

5 (11) how to handle food deliveries in relation to
6 allergens;

7 (12) proper food preparation for guests with food
8 allergies; and

9 (13) cleaning and personal hygiene considerations to
10 prevent contaminating food with allergens.

11 (d) If an entity uses an allergen awareness training
12 program accredited by the American National Standards
13 Institute or another reputable accreditation agency under the
14 ASTM International E2659-09 (Standard Practice for Certificate
15 Programs), then that training program meets the requirements of
16 this Section. The training indicated in this subsection (d) is
17 transferable between employers, but not individuals.

18 (e) If a business with an internal training program follows
19 the guidelines in subsection (c), and is approved in another
20 state prior to the effective date of this amendatory Act of the
21 100th General Assembly, then the business's training program
22 and assessment meets the requirements of the Section. The
23 training indicated in this subsection (e) is not transferable
24 between individuals or employers.

25 (f) The training program of any multi-state business with a
26 plan that follows the guidelines of subsection (c) meets the

1 requirements of this Section. The training indicated in this
2 subsection (g) is not transferable between individuals or
3 employers.

4 (g) This Section does not apply to any multi-state business
5 that has a food handler training program that follows the
6 guidelines in subsection (d) of Section 3.06 of this Act, an
7 individual that receives food handler training in accordance
8 with the rules adopted under this Act, or a Category II
9 facility or Category III facility as defined under 77 Ill. Adm.
10 Code 750.10.

11 (h) Any and all documents, materials, or information
12 related to a restaurant or business allergen awareness training
13 module is confidential and shall not be open to public
14 inspection or dissemination and is exempt from disclosure under
15 Section 7 of the Freedom of Information Act. Training may be
16 conducted by any means available, including, but not limited
17 to, online, computer, classroom, live trainers, remote
18 trainers, and food service sanitation managers who have
19 successfully completed an approved allergen training. Nothing
20 in this subsection (h) shall be construed to require a proctor.
21 Proof that a food service sanitation manager has been trained
22 must be available upon reasonable request by a State or local
23 health department inspector and may be provided
24 electronically.

25 (i) The regulation of allergen awareness training is
26 considered to be an exclusive function of the State, and local

1 regulation is prohibited. This subsection (i) is a denial and
2 limitation of home rule powers and functions under subsection
3 (h) of Section 6 of Article VII of the Illinois Constitution.

4 (j) The provisions of this Section apply beginning January
5 1, 2018. From January 1, 2018 through July 1, 2018, enforcement
6 of the provisions of this Section shall be limited to education
7 and notification of requirements to encourage compliance.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.".